BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (714) 557-3800

INTELLECTUAL PROPERTY LAW 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040 FACSIMILE: KALOENVEH7
CENTRAL PAX CENTER

SEP 1 1 2007

FACSIMILE COVER SHEET

Deliver to: Joseph G. Ustaris, USPTO	Art Group:2623					
Facsimile No.: (571) 273-8300	Date: September 11, 2007					
From: Eric T. King, Reg. No. 44,188						
Our Docket No.: K35A0807 / 5575.P004	Number of pages 14 including this sheet.					
Application No.: 09/872,197	Filing Date: 5/31/2001					
•	Docket Due Date(s): 9/11/2007					
Enclosed are the following documents:						
Arnendment Response (_10_pgs)	☐ Issue Fee Transmittal					
☐ Appeal Brief (pgs)	Notice of Appeal (In duplicate)					
Application:	Petition for.					
(pgs) w/cover & abstract)	☐ Request for Continued Examination (RCE)					
Assignment & Cover Sheet (pgs)	Reply Brief (pgs)					
M Certificate of Eacsimile	Request & Certification Under 35 USC 122(b)(2)(B)(I)					
Continued Prosecution Application (CPA)	Request to Rescind Previous Nonpublication Request					
Declaration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter					
Drawings:sheets,figures	☐ Response to Written Opinion (pgs)					
Extension of Time:	☐ Terminal Disclaimer					
Fee Transmittal (in duplicate)	☐ Transmittat of Publication Fee Due					
IDS & PTO/SB/08 (P95)	Transmittel Letter					
Other:	and the second s					
CERTIFICATE OF MAILIN	G/TRANSMISSION (37 CFR 1.8A)					
CERTIFICATE OF MAILIN	ed by facsimile on the date shown below to the United States					
hereby certify that inis correspondence as being water						

Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zalman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

9/11/2007

Date

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (714) 557-8800 and ask for Tu T. Nguyen.

Tu T. Nguyen

TO: USPTO REBEIVED CENTRAL PAX CENTER

SEP 1 1 2007

			Application No.	09/872,197		
TRANSMITTAL FORM (to be used for all correspondence after initial tiling)			Filing Date	May 31, 2001		
			First Named Inventor	L. Jeffrey Kapner, III		
,		Art Unit	2623			
			Examiner Name	Joseph G. Ustaris		
Total Number of Pages	In This Submission	13	Attorney Docket Number	K35A0807		
	ENCLOS		k ali that apply)			
Fee Transmittal For		Drawing(s)		After Allowance Communication to TC		
Fee Attached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences		
Amendment / Reply		Petition		Appeal Communication to TC (Appeal Notion, Brief, Reply Brief)		
After Final	aration(s)	Petition to (Convert a Application	Proprietary Information		
Extension of Time R		Power of A Change of	nomey, Revocation Correspondence Address	Status Letter		
Express Abandonment Request		Terminal Disclaimer		Other Enclosure(s) (please identify below):		
Information Disclosu	re Statement	Request for	Refund			
TTO/SB/08		CD, Numbe	or of CD(s)			
Certified Copy of Pri Document(e)		Landso	cape Table on CD			
Response to Missing incomplete Application	ng Fee	Remarks				
Declaration Response to Parts under 3: 1.52 or 1.53						
	SIGNATURE	OF APPLICAN	IT, ATTORNEY, OR AG	ENT		
	ric T. King, Re	g. No. 44,188	_			
or Individual name	BLAKELY, SC	KOLOFF, 1	AYLOR & ZAFM	ANLLP		
Signature 2	5 2					
Date	September 11,	2007				
	CERTIFIC	ATE OF MAIL	NG/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.						
Typed or printed name	Tu T. Nguyen					
Signature	Mayor	<u> </u>		Date September 11, 2007		
Beared on PTO/SB/21 (09-04) as mod SPND TO: Commissional for Patents	FO Boy 1450 Marant	aytor & Zalman (ndc) 1	0/12/2006.	•		

TO: USPTO RECEIVED P.3/14 CENTRAL FAX CENTER

SEP 1 1 2007

CEE TO ANOMITTAL			Complete if Known						
FEE TRANSMITTAL for FY 2006 Patent fowe are subject to septical revision.			Application Numb		09/872,197				
			Filing Date		/ 31, 2001				
			First Named Inver		effrey Kapı				
Applicant claims small entity status. See 37 CFR 1.27.			Examiner Name		Joseph G. Ustaris 2623				
TOTALA	TOTAL AMOUNT OF PAYMENT (\$)			Art Unit Attorney Docket N		5A0807			
							سيبست سيبين		
METHOD OF PAYMENT (check all that apply)									
□Check □Credit card □ Money Order □None □Other (please identify):									
Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)									
For the s	above-ider	ntified dep	osit acc	ount, the Director is h	ereby authorized	to: (check all tha fee(s) indicated b	t apply) Blow excent	for the filing fee	
□ Chi	arge fec(s)	indicated	below	d				for and thing for	
⊠ Cha	arge any a	editional 1 2 88 1 16	(CC(S) Of	underpayment of fee(.18 and 1.20.	ley Like Credit a	ny overpayments			
		. 33 1.10,	4.8/, 4						
FEE CALCU	LATION							0.00	
Large Er	ntitv	Small	Entity			•		:	
Fee	Fee	Fee	Fee					Fee Paid	
Code	(\$)	Code	(\$)	Fee Description	on			ree raid	
1051	130	2051			Surcharge - late filing fee or oath				
1052	50	2052	25	Surcharge - late	provisional f	iling fee or co	over sheet		
2053	130	2053	130	Non-English spe	Non-English specification				
- 1251	120	2251	60	Extension for re	Extension for reply within first month				
1252	450	2252		Extension for reply within second month					
1253	1,020	2253			Extension for reply within third month				
1254	1,590	2254	795	Extension for reply within fourth month					
1255	2,160	2255	1,080	Extension for reply within fifth month					
1401	500	2401	250	Notice of Appea	Notice of Appeal				
1402	500	2402	250	Filing a brief in s	Filing a brief in support of an appeal				
1403	1,000	2403		•	Request for oral hearing				
1451	1,510	2451	1,510	Petition to institute a public use proceeding					
1460	130	2460		Petitions to the					
1807	50	1807		Processing fee					
1806	180	1806			Submission of Information Disclosure Stmt				
1809	790	1809		Filing a submission after final rejection (37 CFR § 1.129(a))					
1810	790	2810	395	For each addition	al invention to	be examined	(37 CFR § 1.	129(b))	
Other fee (specify)									
-,	SUBTOTAL (2) (\$)						(\$)		
SUBMITTE					Registration No.		T	dete (if applicable)	
Name (Pontry	🕬 Eric	T. King		_	(Altomey/Agent)	44,188	Telephone	(714) 557-3800	

09/11/07 Date Signature

Based on PTO/SB/17 (12-04) as modified by Blababy, Schokoll, Taylor & Zatman (wit) 12/15/2004. SEND TO: Commissioner for Patinto, P.O. Scr. 1450, Alexandria, VA 22313-1450

BEGEIVED JUNIPALIFAX CENTER SEP 1 1 2007

FEE TRANSMITTAL			Complete if Known						
			Application Numb		09/872,197				
for FY 2006		Filing Date		May 31, 2001					
Patent feet are subject to annual revision.			First Named Inve		L. Jeffrey Kapner, III				
Applicant claims small entity status. See 37 CFR 1.27.			Examiner Name		Joseph G. Ustaris				
			Art Unit		2623				
TOTAL AMOUNT OF PAYMENT (\$) Attorney Docket No. K35A0807									
METHOD OF PAYMENT (check all that apply)									
□ Check □ Credit card □ Money Order □ None □ Other (please identify):									
Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP									
For the	above-ide	ntified dep	oosit acc	count, the Director is	hereby authorized	to: (check all that	apply)	for the filling for	
ПСъ	arge fee(s)	indicated	below		☐ Charge	ree(s) marcarca de	now, except	for the thing ice	
⊠ Ch	arge any a	dditional	fee(s) or	underpayment of fee	(8) 🔀 Credit a	my overpayments	•		
unc	ler 37 CFI	Z §§ 1.16,	1.1/, 1	.18 and 1.20.					
FEE CALCU	LATION								
	-								
Large Er	ntity	Small		•		•			
Fee	Fee	Fee	Fee	Fee Descript	ion			Fee Paid	
Code	(\$)	Code	(\$)	·					
1051	130	2051			Surcharge - late filing fee or oath				
1052	50	2052	25	Surcharge - late	e provisional f	iling fee or co	ver sheet		
2053	130	2053	130	Non-English sp	Non-English specification				
1251	120	2251	60		Extension for reply within first month				
1252	450	2252		Extension for reply within second month					
1253	1,020	2253			Extension for reply within third month				
1254	1,590	2254		Extension for reply within fourth month					
1255	2,160	2255	1,080	Extension for reply within fifth month					
1401	500	2401	260	Notice of Appeal					
1402	500	2402	260	Filing a brief in	Filing a brief in support of an appeal				
1403	1,000	2403		Request for oral hearing					
1451	1,510	2451	1,510	Petition to institute a public use proceeding					
1460	130	2460	130	Petitions to the	Petitions to the Commissioner				
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)					
1806	180	1806		Submission of Information Disclosure Stmt					
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))					
1810	790	2810	395	For each addition	nal invention to	be examined	(37 CFR § 1.	.129(b))	
Other fee (specify)									
SUBTOTAL (2) (\$)						(\$)			
411000	'0 8V						Comp	olete (if applicable)	
SUBMITTE	- (Registration No.	AA 189	Telephone	(714) 557-3800	
Name (>+u /⊺y _i	∞) (Eric	T. King	_	_	(Attornoy/Agent)	44,188	· Croprionio	1 (1 4 - 7 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2	

Based on PYO'SB/17 (12-04) as modified by Blakely, Sciokedi, Taytor & Zalmen (wir) 12/15/2004. SEND TD: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1450

Signature

Dale

09/11/07

TO: USPTO

RECEIVED CENTRAL FAX CENTER

SEP 1 1 2007

Appl. No. 09/872,197 Amdt. Dated September 11, 2007 Reply to Office Action of June 11, 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

09/872,197

Confirmation No. 1905

Applicant

L. Jeffrey Kapner III

Filed

5/31/2001

TC/A.U.

2623

Examiner

Joseph G. Ustaris

Docket No.

K35A0807

Customer No.

8791

Commissioner for Patents PO Box 1450 Alexandria VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action of June 11, 2007, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.